

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chow et al.

Title: MECHANICALLY ACTIVATED OBJECTS FOR
TREATMENT OF DEGENERATIVE RETINAL DISEASE

Appl. No.: 10/822,437

Filing Date: 04/12/2004

Examiner: Brown, Michael A.

Art Unit: 3772

Confirmation No.: 1437

Mail Stop **AMENDMENT**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicants in order to comply with the Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(c), before the mailing date of either a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

The relevance of the foreign-language documents is described in English-language abstracts or summaries for the documents provided herewith. Additionally, English-language translations of some of the foreign-language documents have been provided. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 C.F.R. §1.98 and M.P.E.P. § 609).

The Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. § 609.

FEE

Fees in the amount of **\$180.00** in accordance with 37 C.F.R. § 1.17(p) to cover the fee associated with an information disclosure statement under 37 C.F.R. § 1.97(c) are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741.

Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: October 27, 2008

By: /Stephanie H. Vavra/

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 319-7305
Facsimile: (414) 297-4900

Stephanie H. Vavra
Attorney for the Applicants
Registration No. 45,178